

APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

MAY 29 1990

Date of filing in State Engineer's Office.....

Returned to applicant for correction.....

Corrected application filed.....

Map filed..... NOV 27 1989 under 54192

The applicant Independence Mining Company, Inc. (successor in interest to Freeport-McMoRan Gold Company)

Mtn City Star Route, of Elko,
Street and No. or P.O. Box No. City or Town

Nevada 89801, hereby make^s application for permission to appropriate the public
State and Zip Code No.

waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.) 1978 - Delaware

1. The source of the proposed appropriation is Underground - Burns Basin Well #2
Name of stream, lake, spring, underground or other source

2. The amount of water applied for is 0.5 cfs second-feet
One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet.....

3. The water to be used for Mining, Milling & Domestic
Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.

4. If use is for:

(a) Irrigation, state number of acres to be irrigated.....

(b) Stockwater, state number and kinds of animals to be watered.....

(c) Other use (describe fully under "No. 12. Remarks").....

(d) Power:

(1) Horsepower developed.....

(2) Point of return of water to stream.....

5. The water is to be diverted from its source at the following point within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 15, T40N,
Describe as being within a 40-acre subdivision of public
R53E, MDM, from which the SE corner of said section 15 bears S 66° 00' E, 1,548
survey, and by course and distance to a section corner. If on unsurveyed land, it should be so stated.
feet distance

6. Place of use T40N, R53E, MDM: portions of Sections 2, 11, 14 thru 17, 18, 19, 20 thru
Describe by legal subdivision. If on unsurveyed land, it should be so stated.
23, 26 thru 28. T41N, R53E: Portions of Sections 25, 26, 35 T41N, R54E: Portions
of Sections 19, 20, 29, 30, 32 & 33

7. Use will begin about January 1 and end about December 31, of each year.
Month and Day Month and Day

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) drilled and cased well, with submersible
State manner in which water is to be diverted, i.e. diversion structure, ditches and
pump and motor, 3,000-gallon storage tank
flumes, drilled well with pump and motor, etc.

9. Estimated cost of works \$40,000.00

10. Estimated time required to construct works..... two years
 If well completed, describe works.

11. Estimated time required to complete the application of water to beneficial use..... four years

12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Water will be used for mineral exploration drilling, road dust suppression, vehicle maintenance shop, sample preparation and incidental domestic use. Estimated annual consumption is 57.8 million gallons, based upon metered 1986 use for haul road and exploration drilling needs, from sources under permits 39881, 42687, 47414 and 48175 (Jerritt Mill Wells) and 50675, 52771 and 54192 (Burns Basin Well #1 and #2)
 Please send copies of all correspondence and notices to undersigned agent.

/s/William A. Nisbet

By Agent
421 Court
Elko, Nevada 89801

Compared..... bp/se am/se

Protested.....

APPROVAL.....OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of water begins or before the Proof of Completion of Work is filed.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The well must be sealed with cement grout, concrete grout or neat cement from ground level to 100 feet.

The total combined duty of water under Permits 50675, 52771, 54192 and 54878 shall not exceed 57.8 million gallons annually.

(CONTINUED ON PAGE 2)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to

exceed..... 0.5cubic feet per second, but not to exceed 57.8 million
 gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before..... August 18, 1991

Proof of completion of work shall be filed on or before..... September 18, 1991

Application of water to beneficial use shall be made on or before..... August 18, 1993

Proof of the application of water to beneficial use shall be filed on or before..... September 18, 1993

Map in support of proof of beneficial use shall be filed on or before..... N/A

Completion of work filed..... OCT 11 1991

Proof of beneficial use filed.....

Cultural map filed.....

Certificate No..... Issued.....

IN TESTIMONY WHEREOF, I R. MICHAEL TURNIPSEED, P.E.
 State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this..... 4thday of..... June

A.D. 19..... 91


 State Engineer

(PERMIT TERMS CONTINUED)

The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the ground water basin.

A monthly report shall be submitted to the State Engineer within 10 days from the end of each month which shall include the amount of water pumped from each well and the amount of water used for mining and milling purposes.

